

*Bill Would Provide Legal Rights to Members of the Military Who Suffer Medical Malpractice in Military Medical Facilities*

Washington, DC - In response to the Military Officers Association of America's (MOAA) endorsement of the Carmelo Rodriguez Military Medical Accountability Act of 2009 (H.R. 1478), Congressman Maurice Hinchey (D-NY) today released the following statement. Hinchey wrote and introduced the legislation, which the Judiciary Committee passed and now awaits a vote by the full House. A companion bill has also been introduced by Senator Schumer.

"Today, the Military Officers Association of America (MOAA) offered their endorsement for the Carmelo Rodriguez Military Medical Accountability Act, which I authored and introduced last year. I am very pleased to have their support for this essential legislation, which provides legal rights to members of the military who suffer medical malpractice in military medical facilities. With over 370,000 members, MOAA is the largest and most influential association of military officers. Their support provides added momentum to this legislation, which now awaits a vote by the full House after its successful passage by the Judiciary Committee.

"Each year, members of the uniformed services who fall victim to medical malpractice have no opportunity for the same legal recourse granted to all other U.S. citizens, including veterans and even federal prisoners. One such service member was Sergeant Carmelo Rodriguez, of Ellenville, NY, who at the age of 29, died of skin cancer that was repeatedly misdiagnosed and flagrantly mishandled by the military medical establishment. The 7-year old son and family he left behind currently have no legal recourse for this tragic case of malpractice. Those who were at fault have not been held accountable.

"Hundreds of service members are living with wounds inflicted not by an enemy, but instead by a system in which there is no right to choose your own doctor and no right to hold him or her accountable when an unforgivable mistake is made. The need for this legislation could not be more urgent or more clear.

"I am pleased that MOAA has joined the American Association for Justice, the American Bar Association, Veterans Equal Rights Protection Advocacy, the Alliance for Justice, and Protecting Our Guardians in endorsing the Carmelo Rodriguez Military Medical Accountability Act."